IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 29TH NOVEMBER 2007 / 8TH AGRAHAYANA 1929

WP(C).No. 28998 of 2007(B)

PETITIONER:

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1. UNNIKRISHNAN, S/O LATE APPU,
AGED 27 YEARS, NELUGANPARAMBU,
POOTHNNUR P.O., MUNDUR VILLAGE,
PALAKKAD DISTRICT.

2. SUBASH, S/O VELAYUDHAN,
AGED 22 YEARS, NELUGANPARAMBU,
POOTHNNUR P.O., MUNDUR VILLAGE,
PALAKKAD DISTRICT.

BY ADV. SRI.BINOY VASUDEVAN

RESPONDENTS:

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1. THE ASSISTANT EXCISE COMMISSIONER,
PALAKKAD DIVISION, PALAKKAD.

2. MUNDUR GRAMA PANCHAYAT, REPRESENTED BY
ITS SECRETARY, MUNDUR P.O., PALAKKAD.

3. M.M.MANI, S/O MARKOSE,
MUTTATHUKATTI VEEDU, AYYANKODE,
KALLUR VILLAGE, MUKUNDAPURAM TALUK,
THRISSUR DISTRICT.

4. P.T.ANDAVAN, S/O THEETHI,
PUTHENPURA VEEDU, THENUR, PARLI VILLAGE,
PALAKKAD THALUK.

5. VARIJAKSHAN, S/O RAMASWAMY,
PALACHIRAKALAM, ELAPPULLI VILLAGE,
PALAKKAD DISTRICT.

6. KARAPPAN, S/O AYYAPPAN,
POOVATHINKAL HOUSE, ESHAKKAD,
MUNDUR II VILLAGE, PALAKKAD DISTRICT.

R2 BY ADV. SRI.N.RAGHURAJ
SMT.K.AMMINIKUTTY
SRI.A.V.RAVI
R3 BY ADV SRI.B.GOPAKUMAR
SMT.CHINCY GOPAKUMAR
R1 BY GOVT. PLEADER SMT. M.K. PUSHPALATHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P(C) 28998/07

PETITIONER'S EXTS:

EXT.P1: RUE COPY OF THE LICENSE ISSUED BY THE FIRST RESPONDENT VIDE NO: 710/07-08 TO THE RESPONDENTS 3-6

EXT.P2: -DO- OF THE MASS REPRESENTATION SUBMITTED BEFORE THE MINISTER FOR EXCISE

EXT.P3: -DO- OF THE MASS REPRESENTATION SUBMITTED BEFORE THE EXCISE COMMISSIONER

EXT.P4: -DO- OF THE JUDGMENT DT. 2.7.2007 IN W.P(C) NO: 18928/07

EXT.P5: -DO- OF THE COMMISSION REPORT DT. 6.7.2007 FILED BY THE ADVOCATE COMMISSIONER IN O.S. NO: 366/07 BEFORE THE MUNSIFF COURT, PALAKKAD

EXT.P6: -DO- OF THE LETTER DT. 14.8.2007 ISSUED BY THE SECOND RESPONDENT

jj /TRUE COPY/

P.S. TO JUDGE

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.28998 of 2007-B

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Dated this the 29th day of November, 2007.

JUDGMENT

The learned counsel for the licensees submits that the licensees are running the shop strictly in accordance with Ext.P1 and in terms of the directions of the departmental officials. This is recorded. In this view of the matter, this writ petition is disposed of directing that respondents 3 to 6 shall run the shop only in accordance with Ext.P1 licence.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/